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PTO/SB/21 (04-07)

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

5

Application Number

10/750,162

Filing Date

12/30/2003

First Named Inventor

Martin Buehler

Art Unit

1795

Examiner Name

Noguerola, Alexander Stephan

Attorney Docket Number

CIT001

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation  
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

Return Receipt Postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Tope-McKay & Associates

Signature

Printed name

Cary Tope-McKay

Date

06/23/2008

Reg. No.

41,350

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/750,162 Confirmation No. 5031  
Applicant : Martin Buehler  
Filed : 12/30/2003  
TC/A.U. : 1795  
Examiner : Noguerola, Alexander Stephan  
Docket No. : CIT001  
Customer No. : 28848

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Dear Examiner:

In response to the Office Action dated May 21, 2008, having a shortened-statutory response period extending through and including June 23, 2008 (June 21 falls on a Saturday), the Applicant respectfully requests that the Examiner consider the following remarks. **All remarks herein are made without prejudice.**

This application has been carefully reviewed in light of the Office Action of May 21, 2008, wherein:

- A. Restriction to one of the following inventions was required under 35 U.S.C. §121:
- I. Claims 1-34, drawn to an electro-active sensor, classified in class 204, subclass 412;
  - II. Claims 35-72, drawn to a method for constructing an electro-active sensor, classified in class 204, subclass 412;
  - III. Claims 73-88 drawn to an electro-active species detection and observation apparatus, classified in class 422, subclass 82.01; and